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SUBJECT: EUR ENGAGEMENT ON WOMEN'S ISSUES - MOLDOVA

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11. (SBU) Post's responses to reftel requests are given below.

12. (SBU) Details on current women's-issues programs, with best practices and success stories:

--Strengthening Democratic Political Activism in Moldova, a project being implemented by the International Republican Institute (IRI):

IRI programs provide a wide range of training to women and women's organizations in political parties, and encourage individual women members to play a more prominent role within these organizations and parties. In 2009, IRI programs contributed to an increased involvement of women in Moldovan politics during two parliamentary elections. Three women who had participated in the programs gained senior positions in three parties, one of them becoming a member of the Cabinet.

Such activities are very dependent on the political will of party leadership and, at the same time, on the involvement and skills of the women involved. The leaders of political parties appear willing to promote women candidates for the 2011 local elections, and IRI will attempt to encourage more women to run for mayoral positions. More efforts to build women's self-confidence and publicize their contribution to the success of political parties will enhance the roles women play in political life and encourage more women to enter politics.

--Women's Career Development Program, implemented by a local NGO, Pro-Business Nord:

USAID recently awarded the first direct grant to a local NGO in the northern Moldovan city of Balti to implement the WomenQs Career Development Program in surrounding rural areas. This program will assist vulnerable women in developing their ability to make independent life choices and to improve their economic wellbeing. The project will identify, train, and find employment for 300 disadvantaged women from northern Moldova. Matching the demands of business and womenQs needs will yield an improved economic environment in their communities. The project will establish an

income-generating social enterprise that offers business and entrepreneurship training, professional development, and fee-paid support services. This approach will help to ensure the program's sustainability.

--Better Opportunities for Youth and Women, implemented by UNDP:

The Better Opportunities for Youth and Women in Moldova Project, recently extended to September 2010, assists vulnerable women, victims of trafficking and domestic violence, and graduates of boarding schools and orphanages to develop their professional skills and to secure better jobs, rather than to seek work abroad. The program established a network of ten Social Reintegration Centers throughout the country. These centers, operated by local NGOs, provide women with a wide range of assistance and reintegration services, including accommodation, psychological and medical services, life skills, vocational training and employment assistance in a safe and supportive environment. This approach of creating and offering integrated assistance services to vulnerable women is considered a best practice for the region.

--Rule of Law Initiative, implemented by ABA/ROLI:

The ABA's Rule of Law Initiative (ABA ROLI) contributed to the design of the Law on Preventing and Combating Domestic Violence which came into effect in September 2008. This was the first law on domestic violence in Moldova.

Although this law is a big step forward, its implementation system is weak. The law merely states that the victim is entitled to protection,

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without specifying details such as what kind of evidence, if any, can be presented in order for a protection order to be issued. For instance, the question arises whether a declaration by the victim, and her application for assistance to a rehabilitation centre for domestic violence victims, could be enough to elicit a protection order. This issue is important, because the victim of domestic violence often does not have the opportunity to obtain more compelling evidence, such as expert medical/legal opinion to prove physical violence, or the testimony of witnesses.

Another gap in the law--the failure to adopt corresponding amendments to procedural codes--has also hindered the application of this mechanism for protection orders. Until recently, judges refused to issue protection orders for the victims of domestic violence in the absence of procedures specifying judges' legal duty to issue such an order in domestic violence cases.

For two days in September, 2009, ABA/ROLI, with the National Institute of Justice (NIJ) and a local partner, the Causeni Law Center, trained judges, prosecutors and attorneys to apply international law, together with general provisions of the Moldovan Criminal Procedure Code, to provide the legal basis for a court to issue such a protection order under the international human rights conventions and treaties to which Moldova is a signatory. The trainees were also informed about the institutions and organizations that provide assistance to

victims of domestic violence in Moldova so that they could refer victims to these organizations when needed.

One of the current gaps in legislation is that free legal aid is not offered to victims of domestic violence unless they are declared mentally incompetent or have actually suffered serious bodily injury. Several organizations, including ABA/ROLI partner Causeni Law Center and the Public Association Refugiul Casa Marioarei (Casa M), were offering this assistance, funded through a sub-grant program which ended in November 2009.

--Success stories include two protection orders issued in domestic violence cases in Moldova, one in September 2009 and the other in November 2009, both won on behalf of clients by ABA/ROLI partner Causeni Law Center and both issued by judges who had earlier attended this ABA/ROLI training. There is a direct link between these trainings and successful implementation of the protection order provisions of the law combating domestic violence. It is to be regretted that the NIJ will not be able to continue the program because of lack of funding.

--Finally, ABA ROLI, with local partners Causeni Law Center and Casa M, ran public information campaigns on combating domestic violence and human trafficking. ABA/ROLI partners held seminars and roundtables throughout Moldova for representatives of local public administrations, social welfare workers, psychologists, doctors and teachers to promote consistency in their approach in assisting victims of domestic violence, and to identify practical solutions to resolving domestic violence cases. They also talked to teachers and students in schools about not tolerating domestic violence and describing what their options are.

The projects revealed that domestic violence is still tolerated in Moldova, nourished by stereotypes and the victims' feelings of shame, according to CEDAW (Convention for the Elimination of Discrimination against Women) assessment tools, and reports on gender violence. Even if the victims of domestic violence file criminal charges against their perpetrators, usually she drops the charges later, or the perpetrator receives a fine, which is paid from the family's budget. (Note: According to Ministry of Interior statistics, 65 percent of victims withdraw charges, mainly because the police play the role of mediators, attempting to reconcile couples rather than

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enforcing the law. End note.) The projects addressed these issues, but further campaigns are necessary and warranted.

--One of the achievements is the Law on Gender Equality, which entered into legal force on February 9, 2006. The law is the achievement of Moldovan civil society and the efforts of the donor community; the USG supported implementation. This is the first law on gender equality in Moldova and is considered a very good one. However, the Administrative Code of Contraventions and the Criminal Code do not provide any sanctions for violating the provisions of this law. Informational and Training campaigns regarding applicability of this Law--for the general public, members of Parliament, judiciary, police and public bodies are greatly needed.

13. (SBU) Areas where additional U.S. action and/or cooperation on women's issues could be useful:

- Supporting, and organizing with local partners, informational campaigns to acquaint the general public with the concepts of domestic violence and gender equality, in order to inform them about the rights they have and procedures to exercise them: TV, radio, leaflets, guide books for women, informational seminars for women, etc. There is a need to reach the most vulnerable, and the rural population, where exposure to information about rights and obligations is often unavailable.
- Improving the justice system by educating judges, prosecutors and defense attorneys on domestic violence and gender equality issues, which will lead to better implementation of domestic violence law provisions for the most vulnerable.
- Creating an effective national network of specialized lawyers on gender equality issues and domestic violence to provide free legal aid, since victims of domestic violence are usually too poor to hire a lawyer, and are usually not entitled to state-funded legal aid.
- Supporting women's empowerment and encouraging greater women's participation in the private sector labor market.
- Continuing to support creation of vocational and capacity-building programs for women at risk for trafficking, particularly young rural women with low levels of education.

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